UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/25587
13 April 1993
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 12 APRIL 1993 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that on 30 March 1993 a cluster bomb exploded while a civil defence unit in the Busayyah district of the Muthanna Governorate was engaged in deactivating unexploded ordnance dropped during the criminal 30-Power aggression against Iraq.

The following were killed:

1. Captain Ahmad Jamil Jasim;

2. Master Sergeant Diya' Hadi Salman;

3. Sergeant Buraq Kamil Faraj.

The following were wounded in the accident:

1. Commissioner Ammar Abd Muslim;

2. Fire Marshal Khudayr Su'ud Zahir.

This painful and distressing episode exemplifies some of the consequences of the devastating impact left by the aggression against Iraq and its continuing pernicious effects on the lives and property of citizens and on the environment in the Iraqi countryside.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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UNITED
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Security Council

Distr.
GENERAL

S/25588
13 April 1993

ORIGINAL: ENGLISH

LETTER DATED 13 APRIL 1993 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

In accordance with the provisions of Security Council resolution 689 (1991), and in the light of your report (S/25514), the members of the Security Council have reviewed the question of termination or continuation of the United Nations Iraq-Kuwait Observation Mission, as well as its modalities of operation.

I have the honour to inform you that the members of the Council concur with your recommendations, in particular that contained in paragraph 32 of your report.

With reference to paragraph 33 of your report, the members of the Council urge you to continue your efforts to identify a troop contributor for the mechanized infantry battalion to be deployed in the first phase of strengthening UNIKOM in accordance with resolution 806 (1993).

(Signed) Jamsheed K. A. MARKER
President of the Security Council

93-21553 (E) 130493 130493

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General Assembly Security Council

Distr.
GENERAL

A/47/926
S/25589
13 April 1993

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-seventh session
Agenda item 111
SCALE OF ASSESSMENTS FOR THE
APPORTIONMENT OF THE EXPENSES
OF THE UNITED NATIONS

SECURITY COUNCIL
Forty-eighth year

Letter dated 13 April 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

Regarding the letter of the Permanent Representative of Croatia to the United Nations of 31 March 1993 (A/47/921-S/25513), I have the honour to point out the following:

The Permanent Representative of Croatia regrettably took advantage of the letter of the Federal Minister for Foreign Affairs of the Federal Republic of Yugoslavia concerning the assessed contribution of the Federal Republic of Yugoslavia to the United Nations budget (A/C.5/47/91) to advance a series of erroneous interpretations and unfounded allegations concerning the status of Yugoslavia in the United Nations.

In this connection, I would like to recall that, in the opinion of the United Nations Legal Counsel (A/47/485, annex) of 29 September 1992, it was stated, inter alia, that "resolution [47/1] neither terminates nor suspends Yugoslavia's membership in the Organization" and that "the resolution does not take away the right of Yugoslavia to participate in the work of organs other than Assembly bodies".

Evidently, the Permanent Representative of Croatia is not aware of the fact that a decision to suspend someone cannot refer to a non-member State. The "entity", as implied by the distinguished Ambassador, cannot and does not pay any contribution to the United Nations budget at all, particularly not the one he refers to as "Federal Republic of Yugoslavia (Serbia and Montenegro)".

Moreover, the status and continuing membership of the Federal Republic of Yugoslavia in the United Nations is also evidenced by decision 47/456 of

23 December 1992, by which the General Assembly, in adopting the recommendation of the Committee on Contributions, determined a new reduced rate of contribution for the Federal Republic of Yugoslavia to the United Nations budget.

There is no need to read between the lines to comprehend that the Minister wrote on behalf of our country, which you have properly referred to as the Federal Republic of Yugoslavia, when addressing him in order to settle its part of the contribution to the United Nations budget and, as you may observe, not for a moment implied that the Federal Republic of Yugoslavia was the sole successor to the Socialist Federal Republic of Yugoslavia. This is also affirmed by the active participation of the Federal Republic of Yugoslavia in the International Conference on the Former Yugoslavia in resolving issues arising from succession of the former Yugoslavia.

In singling out only one view on the status of Yugoslavia in the United Nations, the Permanent Representative of Croatia did not take into account other relevant opinions on this issue. However, the only binding decisions on this matter are those already adopted by the Security Council and the General Assembly.

I should be grateful if you would have this letter circulated as an official document of the General Assembly, under agenda item 111, and of the Security Council.

(Signed) Dragomir DJOKIC
Ambassador
Chargé d'affaires a.i.

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Security Council

Distr.
GENERAL

S/25590
13 April 1993
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 12 APRIL 1993 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that United States aircraft continued their violations of Iraqi airspace for purposes of reconnaissance and provocation during the period 1 to 7 April 1993.

1 April 1993

(a) Northern region: 14 sorties, flown at speeds of 600 to 900 kilometres per hour and at altitudes of 6,000 to 8,500 metres, centred over Zakho, Dohuk, Irbil, Mosul and Tall Afar.

(b) Southern region: 40 sorties, flown at speeds of 600 to 900 kilometres per hour and at altitudes of 7,000 to 10,000 metres, centred over Nasiriyah, Amarah, Samawah, Ushbayjah, Artawi, Basra and Salman.

2 April 1993

(a) Northern region: 18 sorties, flown at speeds of 600 to 900 kilometres per hour and at altitudes of 7,000 to 8,000 metres, centred over Mosul, Irbil, Dohuk, Zakho and Amadiyah.

(b) Southern region: 67 sorties, flown at speeds of 600 to 900 kilometres per hour and at altitudes of 6,000 to 9,000 metres, centred over Nasiriyah, Basra, Samawah, Qal'at Salih, Lasaf, the area to the south of Najaf, Ushbayjah and Busayyah.

3 April 1993

(a) Northern region: No hostile air activity was recorded in the region on this day.

(b) Southern region: 56 sorties, flown at speeds of 600 to 900 kilometres per hour and at altitudes of 6,000 to 14,000 metres, centred over Nasiriyah, Basra, Qurnah, Artawi, Samawah, Busayyah, Salman, Ushbayjah and Qal'at Salih.

4 April 1993

(a) Northern region: 28 sorties, flown at speeds of 600 to 900 kilometres per hour and at altitudes of 5,000 to 9,000 metres, centred over Mosul, Irbil, Dohuk, Zakho and Amadiyah.

(b) Southern region: 30 sorties, flown at speeds of 600 to 900 kilometres per hour and at altitudes of 3,000 to 10,000 metres, centred over Nasiriyah, Samawah, Ushbayjah, Jalibah and Busayyah.

5 April 1993

(a) Northern region: 14 sorties, flown at speeds of 600 to 900 kilometres per hour and at altitudes of 5,000 to 7,000 metres, centred over Zakho, Dohuk, Rawanduz, Amadiyah, Mosul, Irbil and Ayn Zalah.

(b) Southern region: 42 sorties, flown at speeds of 600 to 900 kilometres per hour and at altitudes of 5,000 to 10,000 metres, centred over Basra, Qurnah, Jalibah, Salman, Ushbayjah, Artawi, Nasiriyah, Busayyah, Samawah and Khidr.

6 April 1993

(a) Northern region: 20 sorties, flown at speeds of 600 to 900 kilometres per hour and at altitudes of 7,000 to 8,000 metres, centred over Mosul, Irbil, Dohuk, Tall Afar, Zakho and Amadiyah.

(b) Southern region: 53 sorties, flown at speeds of 600 to 900 kilometres per hour and at altitudes of 6,000 to 10,000 metres, centred over Nasiriyah, Basra, Samawah, Salman, the area to the south of Najaf and Busayyah.

7 April 1993

(a) Northern region: No hostile air activity was recorded in the northern region on this day.

(b) Southern region: 10 sorties, flown at speeds of 600 to 900 kilometres per hour and at altitudes of 7,000 to 8,000 metres, centred over Nasiriyah, Samawah, Salman, Artawi and Busayyah.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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Security Council

Distr.
GENERAL

S/25591
13 April 1993

ORIGINAL: ENGLISH

DRAFT RESOLUTION

The Security Council,

Reaffirming its resolutions 782 (1992) of 13 October 1992 and 797 (1992) of 16 December 1992,

Having considered the report of the Secretary-General dated 2 April 1993 (S/25518),

Welcoming the efforts of the Secretary-General to implement fully the mandate entrusted to ONUMOZ,

Reiterating the importance it attaches to the General Peace Agreement for Mozambique (S/24635) and to the timely fulfilment by all parties in good faith of the obligations contained therein,

Seriously concerned at delays in the implementation of major aspects of the Agreement,

Noting the efforts of the Government of Mozambique and the Resistencia Nacional Mocambicana (RENAMO) to maintain the cease-fire,

1. Notes with appreciation the report of the Secretary-General dated 2 April 1993 (S/25518) and the recommendations contained therein;

2. Calls upon the Government of Mozambique and RENAMO to cooperate fully with the Secretary-General and his Special Representative in the full and timely implementation of the mandate of ONUMOZ;

3. Stresses its concern about the delays and difficulties which are seriously affecting the timetable for implementation of the peace process envisaged in the Agreement and in the report of the Secretary-General containing the operational plan for ONUMOZ (S/24892 and Corr.1 and Add.1);

4. Urges the Government of Mozambique and RENAMO to take urgent and determined steps to comply with the commitments they entered into within the framework of the above-mentioned Agreement, in particular with respect to the concentration, assembly and demobilization of their armed troops and the formation of the new unified armed forces;

5. Further urges the Government of Mozambique and RENAMO, in this context, to initiate the training of the first elements of the new Mozambican Defence Force (FADM) as soon as possible, and calls upon the countries which have offered assistance to cooperate in this respect, with a view to the earliest possible completion of the arrangements for such training;

6. Welcomes the initiatives and readiness of both parties to convene as soon as possible a meeting between the President of the Republic of Mozambique and the President of RENAMO, in order to address major issues pertaining to peace in Mozambique;

7. Strongly appeals to RENAMO to ensure the effective and uninterrupted functioning of the joint Commissions and monitoring mechanisms;

8. Strongly appeals also to both the Government of Mozambique and RENAMO to allow timely investigation of all cease-fire violations and to ensure the freedom of movement of people and goods as foreseen in the Agreement;

9. Welcomes the Secretary-General's intention to ensure prompt deployment of ONUMOZ military contingents, and calls upon troop-contributing countries to expedite the dispatch of their troops earmarked for service in ONUMOZ;

10. Strongly urges the Government of Mozambique and RENAMO to finalize, in consultation with the Secretary-General, the precise timetable for the full implementation of the provisions of the General Peace Agreement, including the separation, concentration and demobilization of forces, as well as for the elections;

11. Stresses the importance it attaches to the early signature of the status of forces agreement between the Government of Mozambique and the United Nations to facilitate the free, efficient and effective operation of ONUMOZ;

12. Strongly urges both sides to guarantee ONUMOZ's freedom of movement and verification capabilities pursuant to the commitments made under the General Peace Agreement;

13. Appreciates the assistance and pledges made by Member States in support of the peace process, and encourages the donor community to provide appropriate and prompt assistance for the implementation of major aspects of the Agreement;

14. Requests the Secretary-General to keep the Security Council informed of developments regarding the full implementation of the provisions of the General Peace Agreement, including on progress in the consultations with the Government of Mozambique and RENAMO concerning the finalization of the precise timetable for separation, concentration and demobilization of forces, as well as for the elections and to submit a further report to the Council by 30 June 1993;

15. Expresses its confidence in the Secretary-General's Special Representative and its appreciation for the work he has done to date in coordinating all aspects of the Agreement;

16. Decides to remain seized of the matter.

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GENERAL

S/25592
13 April 1993

ORIGINAL: ENGLISH

LETTER DATED 13 APRIL 1993 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 8 April 1993 (S/25561) concerning the situation in Rwanda has been brought to the attention of the members of the Security Council. They welcome your decision to strengthen the goodwill mission by the addition of three military advisers. They also note the urgency of the security situation in Rwanda and look forward to a prompt report.

(Signed) Jamsheed K. A. MARKER
President of the Security Council

93-21559 (E) 130493 130493

UNITED NATIONS

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General Assembly Security Council

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GENERAL

A/48/137
S/25593
13 April 1993

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-eighth session
Item 71 of the preliminary list*
GENERAL AND COMPLETE DISARMAMENT

SECURITY COUNCIL
Forty-eighth year

Letter dated 13 April 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith the text of the declaration made by the Government of Turkey in connection with the joint statement of the depositary Governments of the Treaty on the Non-Proliferation of Nuclear Weapons concerning the withdrawal of the Democratic People's Republic of Korea from the said Treaty (S/25515, annex).

I would be very grateful if you could have this letter and its annex circulated as an official document of the General Assembly, under item 71 of the preliminary list, and of the Security Council.

(Signed) Tahsin BURCUOĞLU
Deputy Permanent Representative
Chargé d'Affaires a.i.

* A/48/50.

ANNEX

Declaration by the Government of Turkey

The Government of Turkey associates itself with the joint statement of the depositary Governments of the Treaty on the Non-Proliferation of Nuclear Weapons of 1968 a/ concerning the withdrawal of the Democratic People's Republic of Korea from the said Treaty (S/25515, annex).

The Government of Turkey wishes to underline, in this context, that all the countries that have not yet done so should become parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and that all the parties to the Treaty should fully observe their obligations arising under the Treaty.

The Government of Turkey reiterates its stronghold view that relevant steps should be taken as early as possible for the further strengthening of the verification regime of the Treaty on the Non-Proliferation of Nuclear Weapons in order to prevent the violation of obligations under the Treaty through an effective international control and monitoring system.

UNITED
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Security Council

Distr.
GENERAL

S/25594
14 April 1993

ORIGINAL: ENGLISH

LETTER DATED 13 APRIL 1993 FROM THE PERMANENT REPRESENTATIVE OF CANADA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I enclose comments prepared by the Government of Canada with respect to United Nations Security Council resolution 808 (1993) and the creation of an ad hoc tribunal to try charges of war crimes in the former Yugoslavia.

I should be grateful if you would have this letter and the enclosed comments circulated as a document of the Security Council.

(Signed) Louise FRÉCHETTE
Ambassador
Permanent Representative

Annex

Canadian comments with respect to United Nations Security Council resolution 808 (1993) and the creation of an ad hoc tribunal to try charges of war crimes in the former Yugoslavia

1. Canada supports the recent decision of the United Nations Security Council to establish an international criminal tribunal to prosecute individuals responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1991. We believe that there is authority, under Chapter VII of the Charter of the United Nations, for the Security Council to adopt a resolution to create an ad hoc tribunal designed specifically to restore and maintain peace and security in the former Yugoslavia.

Concurrent jurisdiction

2. Canada believes that the jurisdiction of the tribunal should be concurrent with that of national courts. Given that there may, in some circumstances, be concern that national courts might not comply with international standards, where the ad hoc tribunal chooses to exercise its jurisdiction in a particular case it should have preferential jurisdiction over national courts.

3. Canada takes the position that no one shall be liable to be tried or punished again for an offence for which he or she has already been finally convicted or acquitted, as set out in article 14 of the International Covenant on Civil and Political Rights, except where the matter was not diligently prosecuted in the national courts or international standards for the protection of human rights were not met.

Structure of the tribunal

4. While Canada supports the view that the Security Council define the structure of the tribunal and the extent of its jurisdiction by resolution, for practical reasons we believe that the tribunal should be given authority to establish detailed rules of procedure and admissibility of evidence on a priority basis once the tribunal is created and before prosecutions begin.

5. With respect to the appointment of officials to the ad hoc tribunal, Canada favours a system similar to that provided for in the Conference on Security and Cooperation in Europe (CSCE) draft proposal. Each State Member of the United Nations should be encouraged to nominate judges, prosecutors or other court officials with appropriate backgrounds and criminal law experience. The Secretary-General or the Security Council could then draw on the list of nominees to make appointments as required.

6. The continued contribution of the United Nations Commission of Experts to investigate war crimes in the former Yugoslavia, created by Security Council resolution, and the Commission's role in ongoing investigations, should also be ensured by specific reference in the Security Council resolution establishing the ad hoc tribunal.

Jurisdiction

7. With respect to the subject-matter jurisdiction of the ad hoc tribunal, it is essential that the principle of nullem crimen sine lege, nulla poena sine lege (there should be no crime except according to predetermined fixed law; there should be no crime without penalty) be applied.

8. Canada takes the position that serious violations of both customary and conventional international humanitarian law which fall within the competence of the ad hoc tribunal should be clearly articulated by the United Nations Security Council rather than merely incorporated by reference. The conduct prohibited and the required accompanying mental state should be expressly stated.

9. Security Council resolution 808 (1993) decided to establish a tribunal for the prosecution of "persons responsible for serious violations of international humanitarian law". Canada interprets serious violations of international humanitarian law to include:

(a) Violations of the laws or customs of war, including grave breaches of the Geneva Conventions and Additional Protocol I;

(b) Crimes against humanity under customary or conventional law including such acts as wilful killing and deliberate mutilation, extrajudicial and summary execution, sexual assault, slavery, torture, illegal detention, deportation, forced labour or any other inhumane act or omission that is committed against any civilian population or any identifiable group of persons, and that constitutes a contravention of customary international law or conventional international law; and

(c) Acts which violate the Convention on the Prevention and Punishment of the Crime of Genocide and the Convention against Torture and Other Cruel and Inhuman or Degrading Treatment or Punishment.

10. Canada suggests that no person should be tried for an offence in respect of a serious violation of international humanitarian law within the competence of the ad hoc tribunal if he or she was under the age of 12 years when the act or omission occurred. Any prosecution of young persons, over the age of 12 years when the act or omission occurred, should be conducted in accordance with the Convention on the Rights of the Child.

Law to be applied for purposes of interpretation

11. For the purposes of prosecution, offences within the subject-matter of the tribunal should be defined and interpreted in accordance with international conventions, international custom as evidence of a general practice accepted as law and the general principles of law recognized by civilized nations. Prosecutions should be conducted as violations of international law rather than national law. However, if necessary for interpretive purposes, reference may be made to appropriate national law.

Principles of liability

12. Principles of liability and forms of complicity, instigation and conspiracy to commit a crime within the jurisdiction of the tribunal must be specifically and clearly defined. Guilt by association, or the creation of offences based purely on membership in a de jure or de facto group whose primary or subordinate goal is to commit crimes coming within the jurisdiction of the tribunal is not acceptable. In the context of the jurisdiction of the ad hoc tribunal, Canada supports the position that the principles governing criminal liability which hold superiors accountable for the crimes of their subordinates and generally exclude the defence of acting pursuant to superior order should be applied.

Procedural guarantees

13. Canada places great importance upon safeguarding the defendant's procedural guarantees as provided for in article 14 of the International Covenant on Civil and Political Rights and similar provisions in other international conventions or national law. On this basis, we would oppose the possibility of taking proceedings against defendants in their absence, despite the practical difficulties that may exist with respect to transfer of the accused for trial. Canada is also against creating "rebuttable presumptions" or "reverse onus" crimes on the basis that this infringes on a defendant's right to be presumed innocent until proven guilty. Although Canada does not insist that the adversarial system of procedure be adopted, we do take the position that both the prosecution and the defence should have a residual right to call and cross-examine witnesses if the court controls this process.

14. Canada takes the position that adequate procedural guarantees must be in place to protect witnesses so as to avoid exacerbating harm already suffered by the victims.

Penalties

15. Canada strongly opposes the imposition of the death penalty, notwithstanding that the offence committed may be of a particularly heinous nature.

Appeals

16. Procedures for appeal, review and revision must be established for the ad hoc tribunal despite any practical difficulties that these proceedings may present.

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Security Council

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S/25595
15 April 1993

ORIGINAL: ENGLISH

LETTER DATED 13 APRIL 1993 FROM THE PERMANENT REPRESENTATIVE OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you the statement of 10 April 1993 issued by the spokesman of the Ministry of Foreign Affairs of the Democratic People's Republic of Korea.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) PAK Gil Yon
Ambassador
Permanent Representative

Annex

Statement dated 10 April 1993 of the spokesman of the Ministry of Foreign Affairs of the Democratic People's Republic of Korea

A "statement of the President" concerning the so-called "nuclear problem" of the DPRK was released on 9 April 1993 after talks behind closed doors at the United Nations Security Council.

It expressed "concern over the situation created after the DPRK's withdrawal from the nuclear non-proliferation Treaty" and said "the members of the Security Council welcome all efforts aimed at resolving this situation and in particular encourage the International Atomic Energy Agency to continue its consultation with the DPRK".

As the process of the talks shows, the United Nations Security Council, by origin, is not a place for debating such matters as the fictitious "nuclear problem" of the DPRK.

It mainly discusses such acts as disturbing and endangering world peace and security.

The DPRK's withdrawal from the NPT and the problems in the implementation of the Safeguards Agreement are matters pertaining to sovereignty. They cannot be considered to be acts wrecking world peace and threatening other country's security.

If the "nuclear suspicion" against the DPRK poses a threat to world peace and security, the nuclear weapons which actually exist in other nations must be a threat a hundredfold more grave.

If the United Nations Security Council wants to deal with the nuclear problem from a stand of guaranteeing world peace and security, it must call in question, first of all, the United States which was the first in the world to develop nuclear weapons and has the largest arsenal of such kind of weapons.

How can the Security Council remain indifferent to the illegal acts of the United States and some officials of the IAEA secretariat who brought the situation of the Korean peninsula to the extreme pitch of strain by resuming the nuclear-war rehearsal "Team Spirit" joint military manoeuvres, which had been suspended, today when the cold war has come to an end and who violate the sovereignty and security of a non-nuclear State by abusing the statute of the IAEA, the NPT and the Safeguards Agreement?

The Security Council must not depart from the principle of international justice and impartiality.

We are a victim who has been exposed to nuclear threat and had its sovereignty infringed upon. The offenders are the United States and some officials of the IAEA manipulated by it.

If the Security Council leaves alone the Western Powers and their followers, though they are offenders, and looks down on and slights small

countries, though they are victims, the small countries of the third world will no more trust the present Security Council.

As we have declared time and again, there is no change in our position to sincerely fulfil our obligations pursuant to the Nuclear Safeguards Agreement, and our position to solve the problems that might arise therefrom through negotiation is consistent.

On 30 March, we proposed once again to the IAEA to hold negotiations concerning the implementation of the Safeguards Agreement.

We still hope that the IAEA will revoke its unreasonable "resolution" charging the DPRK with "non-compliance" with the Safeguards Agreement and respond to our proposal for negotiation.

It is the United States that has increased its nuclear threat to us and compelled us to withdraw from the NPT, and it is also the United States that manipulated the IAEA to abuse the Safeguards Agreement. So, the final solution of this problem depends on DPRK-USA negotiation.

What the United Nations Security Council can do with regard to the DPRK's "nuclear problem" is to take practical steps to make the United States respond to negotiations with us and fully discharge its responsibility and duty.

We hope that the Security Council will act properly in conformity with the demand of the present situation and the principle of international justice lest it should repeat its past error in dealing with the Korean issue.

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General Assembly Security Council

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A/48/138
S/25596
14 April 1993
ENGLISH
ORIGINAL: RUSSIAN

GENERAL ASSEMBLY
Forty-eighth session
Item 80 of the preliminary list*
MAINTENANCE OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Forty-eighth year

Letter dated 13 April 1993 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith a letter from the Minister for Foreign Affairs of the Russian Federation, Mr. A. V. Kozyrev (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as an official document of the General Assembly, under item 80 of the preliminary list, and of the Security Council.

(Signed) Y. VORONTSOV

* A/48/50.

ANNEX

Letter dated 8 April 1993 from the Minister for Foreign Affairs of the Russian Federation addressed to the Secretary-General

I am writing to you on a matter which, as a result the events of recent years, has become one of the urgent priority tasks facing the international community.

I am referring to the pernicious influence of armed conflicts on the humanitarian climate of our planet. I fully support the efforts of the United Nations and your own personal contribution towards averting and settling conflicts, but in this letter I should like to focus on the human dimension of the problem.

The expanding geographical scope of armed conflicts, as well as the ever-increasing bitterness of the fighting, which results in enormous losses, above all among the civilian population, give cause for alarm. It is particularly sad that use is being made against the civilian population of types of weapons which may have indiscriminate effects such as: aircraft, anti-personnel mines, missiles and artillery, igniting mixtures, rocket salvo systems and poisonous substances.

In places where the lines of military confrontation are drawn on the basis of ethnicity and religious belief, the taking of hostages, violence, plunder, looting, open terror and mass deportations are common practices. Religious and cultural facilities and the means of livelihood are brutally destroyed. The recruitment and use of mercenaries is practised and criminal elements and even children are drawn into the war. Recently formed armed forces, which have a very vague idea of the laws and customs of war and the elementary rules governing the treatment of prisoners of war and civilians, are actively engaged in present-day conflicts.

Russia holds an honoured place in the history of diplomacy and international law as one of the first to advocate the humanization of the military sphere. Following these traditions of mercy, democratic Russia sees it as its duty to urge the international community to intensify its efforts to protect the victims of both international and internal conflicts.

Among the most immediate tasks facing the international community in this area is the establishment of an atmosphere of active rejection and resolute condemnation of any violations of international humanitarian law. The most powerful political and diplomatic impetus in this direction could be provided by the Security Council and the General Assembly of the United Nations. Such efforts might include a review of the work being done to bring into force the mechanism for combating the use of mercenaries provided for in the Convention drawn up and adopted under United Nations auspices in 1989. In the Russian Federation work has begun on the procedures for adherence to this important international instrument and we call upon all States in the world, in the light of the tragic events of recent times, once again to consider making it a universal code of international rules with a view to putting an end to the dangerous phenomenon of the use of mercenaries.

We believe that the United Nations could give an impetus to international cooperation by restricting the permissible parameters for military action, for instance by expanding the list of civilian installations, attacks on which must, in every case, be regarded as a military crime. These installations might include, for example, humanitarian aid convoys, corridors for the delivery of such aid, localities where there are mass concentrations of refugees and the means of transport for their conveyance, and food supplies.

A key question of humanitarian law is responsibility for crimes against the civilian population, the wounded and prisoners of war.

The Russian Federation supports efforts to establish a special international tribunal in connection with crimes committed in the territory of the former Yugoslavia. We recently transmitted proposals regarding the establishment and effective functioning of such an organ.

In the context of the problem of putting an end to military crimes, the work being carried out by the International Law Commission with a view to the early establishment of a permanent international criminal court takes on practical significance. It would be useful to recommend that the International Law Commission should pursue on a more practical level its related work on the drafting of a code of crimes against the peace and security of mankind.

Priority must be given to the protection of human rights and fundamental freedoms and respect for the honour and dignity of the human being everywhere and always, even within the sound of bursting shells and whistling bullets. Humanism and mercy must prevail where today the ideas of military necessity and the desire to inflict the maximum number of casualties on the enemy dominate.

The Russian Federation is prepared to make its contribution to this noble task and intends to make additional comments with a view to easing the plight of the victims of armed conflicts on the basis of the strengthening of the international legal regime for their protection.

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General Assembly Security Council

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A/48/140
S/25597
14 April 1993
ENGLISH
ORIGINAL: ARABIC

GENERAL ASSEMBLY
Forty-eighth session
Items 34, 35, 42, 55, 79, 86,
92 and 149 of the preliminary list*
THE SITUATION IN THE MIDDLE EAST
QUESTION OF PALESTINE
THE SITUATION IN BOSNIA AND
HERZEGOVINA
CONSEQUENCES OF THE IRAQI
OCCUPATION OF AND AGGRESSION
AGAINST KUWAIT
REVIEW OF THE IMPLEMENTATION OF
THE DECLARATION ON THE
STRENGTHENING OF INERNATIONAL
SECURITY
REPORT OF THE SPECIAL COMMITTEE
TO INVESTIGATE ISRAELI PRACTICES
AFFECTING THE HUMAN RIGHTS OF
THE PALESTINIAN PEOPLE AND OTHER
ARABS OF THE OCCUPIED TERRITORIES
DEVELOPMENT AND INTERNATIONAL
ECONOMIC COOPERATION
REPORT OF THE SPECIAL COMMITTEE
ON THE CHARTER OF THE UNITED
NATIONS AND ON THE STRENGTHENING
OF THE ROLE OF THE ORGANIZATION

SECURITY COUNCIL
Forty-eighth year

Letter dated 14 April 1993 from the Chargé d'affaires a.i.
of the Permanent Mission of the United Arab Emirates to
the United Nations addressed to the Secretary-General

On instructions from my Government I have the honour to transmit herewith, in the Arabic language, the communiqué issued by the Ministerial Council of the Gulf Cooperation Council at its forty-sixth session, held at Riyadh, Saudi Arabia, on 4 and 5 April 1993 (see annex).

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* A/48/50.

I should be grateful if you would have this letter and its annex circulated as an official document of the General Assembly, under items 34, 35, 42, 55, 79, 86, 92 and 149 of the preliminary list, and of the Security Council.

(Signed) Ali Thani AL-SUWAIDI
Deputy Permanent Representative
Chargé d'affaires a.i.

ANNEX

Communiqué issued by the Ministerial Council of the Gulf Cooperation Council at its forty-sixth session, held at Riyadh, Saudi Arabia, on 4 and 5 April 1993

The Ministerial Council held its forty-sixth session on Sunday and Monday, 4 and 5 April 1993 (12 and 13 Shawwal 1413) at Riyadh under the chairmanship of His Excellency Mr. Rashid Abdullah al-Nuaimi, Minister for Foreign Affairs of the United Arab Emirates, and with the following in attendance:

- His Excellency Sheikh Mohammed Bin Mubarak Al Khalifa, Minister for Foreign Affairs of Bahrain;

- His Royal Highness Prince Saud al-Faisal, Minister for Foreign Affairs of Saudi Arabia;

- His Excellency Mr. Yousef Bin Alawi Bin Abdulla, Minister of State for Foreign Affairs of Oman;

- His Excellency Sheikh Hamad Bin Jassim Bin Jaber Al Thani, Minister for Foreign Affairs of Qatar;

- His Excellency Sheikh Sabah Al-Ahmad Al-Jaber Al-Sabah, First Deputy Prime Minister and Minister for Foreign Affairs of Kuwait.

The Council began its meeting by welcoming His Excellency Sheikh Fahim Bin Sultan al-Qasimi as Secretary-General of the Gulf Cooperation Council, wishing him every success in his new functions. The Council expressed its high appreciation of the great efforts made by His Excellency Abdalla Yaccoub Bishara, former Secretary-General of the Council, and for his contribution of much effort, time and expertise and wished him every success in whatever functions might be entrusted to him in the future.

The Ministerial Council reviewed developments in the regional and international situation and noted with extreme concern that the Iraqi regime was continuing its threats to the independence and security of Kuwait, repeating its attacks on and violations of the integrity of the international boundary between the two countries, endangering peace and stability in the region and continuing to follow a policy of prevarication and procrastination in the implementation of Security Council resolutions relating to its aggression against Kuwait.

The Council vehemently condemns the aggressive policies and practices of the Iraqi regime against Kuwait and its efforts to evade its international obligations under the terms of the cease-fire. It reaffirms its constant position on the necessity of Iraq's implementation of all the Security Council resolutions relating to its aggression against Kuwait and all the provisions of resolution 687 (1991) relating to the release of imprisoned and detained Kuwaitis and nationals of third States, the demarcation of the boundary, payment of compensation, acceleration of the return of all stolen property and facilitation of the work of the international inspections teams entrusted with the task of eliminating all weapons of mass destruction. The Council calls upon

the international community to continue the pressure on the Iraqi regime in order that it may desist from its course of expansionist aggression and comply fully with all the resolutions of international legitimacy.

The Council expresses profound satisfaction at the adoption of Security Council resolution 806 (1993), providing for the strengthening of the United Nations Iraq-Kuwait Observation Mission (UNIKOM) and the extension of its terms of reference and reaffirming the Security Council's guarantee of the inviolability of the international boundary between Kuwait and Iraq. The Council reaffirms its wholehearted desire for the unity and territorial integrity of Iraq. The Iraqi regime bears full responsibility for the acts of bloody violence and any other human suffering to which the Iraqi people has been exposed as a result of that regime's refusal to implement Security Council resolutions 706 (1991) and 712 (1991) concerning Iraq's requirements of foodstuffs and medicines.

The Council reviewed new developments in relations with the Islamic Republic of Iran and the issue of the three islands of Abu Musa, the Greater Tunb and the Lesser Tunb belonging to the United Arab Emirates. It expressed extreme regret and concern at the unacceptable conditions set by the Iranian side for the resumption of talks on the three islands, which encroach on the sovereignty and territorial integrity of the United Arab Emirates, and Iran's refusal to go along with the efforts of the Secretary-General of the United Nations in this regard.

The Ministerial Council stresses its censure and total rejection of Iran's claims to the island of Abu Musa and the measures taken by it, which it regards as a threat to security and stability in the region. The Council reiterates its call to the Islamic Republic of Iran to rescind the measures taken by it in respect of the island and to end its occupation of the islands of the Greater Tunb and the Lesser Tunb, because the continuation of that situation will have negative repercussions on relations between the two sides, constitute a threat to security and stability in the region and increase tension there.

The Council recalls the statement in the Final Communiqué of the Abu Dhabi Summit that the development of relations between the two sides is linked to the consolidation of trust between them and to the implementation by the Islamic Republic of Iran of steps that would conform to its adhesion to the principles of good neighbourliness and respect for the sovereignty and territorial integrity of the States of the region and the principle of non-interference in the internal affairs of States. It reaffirms its solidarity with and full support for the stand adopted by the United Arab Emirates and its support for all peaceful measures and means which it may deem appropriate to restore its sovereignty over its three islands, on the basis of international legitimacy and the principle of collective security.

The Ministerial Council also studied developments in the Middle East peace process and reaffirmed the commitment of its member States to supporting peace negotiations aimed at arrival at a just, lasting and comprehensive solution of the Arab-Israeli conflict and the question of Palestine based on Security Council resolutions 242 (1967) and 338 (1973), the achievement of total Israeli withdrawal from the Arab occupied territories, including Jerusalem, the guaranteeing of the legitimate national rights of the Palestinian people,

including its right to self-determination, and the establishment of sound foundations to ensure security and stability in the region.

The Ministerial Council commends the efforts being made by the sponsors of the Conference, particularly the affirmation by President Clinton's Administration of the absolute commitment of the United States of America to the peace process, its assumption of a role of full participation and its endeavour to overcome the obstacles holding up the momentum of the talks.

The Council vehemently condemns the Israeli side's violation of the rights of Palestinians in the occupied Arab territories and its practices involving the most repugnant kinds of terrorism, oppression, murder, the taking of innocent lives, particularly those of children, demolition of homes, the continuation of settlement operations in the occupied Arab territories and the deportation of more than 400 Palestinians from their land, in violation of the fourth Geneva Convention. It calls upon the Security Council to take action to ensure the implementation of resolution 799 (1992) concerning the return of the Palestinian deportees to their land.

The Ministerial Council is also following developments in the situation in Somalia and expresses its satisfaction at the fact that the Somali parties have arrived at a national reconciliation agreement. It reaffirms the support of the States members of the Council for the Somali side and calls upon the international community to continue supporting the efforts being made to restore security and stability to that fraternal country, so that it may resume the course of construction and development and play its positive role at the Arab and the international levels.

The Ministerial Council welcomes the Peace Accord in Afghanistan arrived at by the Afghan Mujahidin factions in the blessed month of Ramadan. The Council commends the constructive efforts made by Saudi Arabia as represented in the noble and sincere endeavours made by the Custodian of the Two Holy Mosques King Fahd Bin Abdul-Aziz Al Saud, who invited the Mujahidin to renounce their disputes and come to Makkah for a reconciliation. It also appreciates the positive and continuous efforts made by Pakistan to this end. The Council congratulates the leaders and people of Afghanistan on reconciliation and the return of security and stability to this fraternal Muslim country and voices its expectation that Afghanistan will enter on a new phase of stability and peace that will enable it to make up for lost time in its development for the good and prosperity of the Afghan people.

The Ministerial Council has followed with deep concern the continuation of the grievous human tragedy of the people of the Republic of Bosnia and Herzegovina, resulting from the continuation by the irregular Serbian forces, supported by Serbia and Montenegro, of their heinous aggression in violation of United Nations covenants and international law and in defiance of international legitimacy.

The Ministerial Council vehemently condemns the Serbian aggression against the Republic of Bosnia and Herzegovina and the commission by Serbian forces of the most repugnant crimes of ethnic cleansing and of slaughter, organized looting, terrorism, displacement, starvation and the destruction of homes and places of worship and calls upon the Security Council to take all necessary

steps, including the lifting of the arms embargo imposed on the Republic of Bosnia and Herzegovina, to enable it to exercise the right of self-defence and resort to military force on the basis of Chapter VII, Article 42, of the United Nations Charter, with a view to restoring international peace and security, compelling the forces of aggression to comply with the resolutions of international legitimacy, depriving the aggressors of any rewards by preventing any change in the demographic composition or the acquisition of territorial gains and forcing the Serbian forces to withdraw and respect the independence, sovereignty and territorial integrity of the Republic of Bosnia and Herzegovina.

In this connection, the Council welcomes the Security Council's adoption of its resolution providing for the use of military force to down Serbian aircraft that violate the no-fly zone in the airspace of the Republic of Bosnia and Herzegovina as a step in the right direction. The Council also expresses its satisfaction at the adoption last February of the Security Council resolution setting up an international tribunal for the prosecution of persons responsible for crimes against humanity in Bosnia and Herzegovina, in accordance with the Geneva Conventions. The Ministerial Council urges the international community to strengthen penalties and redouble pressures on Serbia and Montenegro.

The Council reviewed the minutes of the meeting of the Standing Committee on Petroleum Cooperation and welcomes its recommendations. Proceeding from the belief of the States members of the Council in the importance of the endeavour to guarantee freedom of international trade and to eliminate and ease restrictions on its flow, and in view of the major importance of the power sector generally, and petroleum in particular, in international trade, the Ministerial Council welcomed the conference of Petroleum Ministers of the Organization of Petroleum Exporting Countries and non-member producing States to be held at Muscat on 13 April 1993. It expressed the hope that the Conference would produce effective means of preventing an increase in the tax burden on petroleum and petroleum derivatives, imposed primarily in the major consumer States, inasmuch as such a tax increase would be an impediment to international trade. The Ministerial Council affirmed in this connection the resolve of the States members of the Council to continue negotiations with the major consumer States in order to protect the vital interests of the States members of the Council and strengthen international trade.

In the context of talks between States members of the Council and economic groups, the Council approved the holding of a new round of talks with Japan in June 1993. The Council welcomes the conference of businessmen from the States members of the Council and their counterparts from the United States to be held on 20 and 21 April 1993, and the Council agreed that the secretariat should consult with the United States Government in order to set the date for the forthcoming round of talks. On the subject of the relations of the States members of the Council with the European Community, the Ministerial Council approved the holding of a new round of trade negotiations on 15 and 16 April 1993. The Ministerial Council also discussed the topics to be brought before the next meeting of the Ministerial Council, to be held jointly with the Ministers for Foreign Affairs of the States members of the Council and the Ministers for Foreign Affairs of the States members of the European Community, to be held at Brussels on 11 May 1993.

UNITED NATIONS

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General Assembly Security Council

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A/48/151
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14 April 1993
ENGLISH
ORIGINAL: SPANISH

GENERAL ASSEMBLY
Forty-eighth session
POLICIES OF APARTHEID OF THE GOVERNMENT
OF SOUTH AFRICA
Item 38 of the preliminary list*

SECURITY COUNCIL
Forty-eighth year

Letter dated 13 April 1993 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a press release issued by the Argentine Government on 12 April 1993 concerning the political crime against the South African leader, Chris Hani (see annex).

I should be grateful if you would have this note and the annex hereto circulated as a document of the General Assembly, under item 38 of the preliminary list, and of the Security Council.

(Signed) Emilio J. CARDENAS
Ambassador
Permanent Representative

* A/48/50.

ANNEX

Press release issued by the Argentine Government
on 12 April 1993

Argentina firmly condemns the political crime committed against the South African leader, Chris Hani. The Argentine Government also repudiates all demonstrations of racial violence connected with the crime. Such acts seriously undermine the transition towards full and lasting democracy in South Africa.

Argentina reaffirms its support for the political negotiations in South Africa so that they may continue and conclude with an agreement that will represent an irreversible transformation in the situation formerly prevailing in the country. In this context it once again urges the parties involved on behalf of all the political movements, parties and groups within South Africa to promote and practise tolerance and caution and to work together in pursuance of the above objectives.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/25599
15 April 1993
ENGLISH
ORIGINAL: RUSSIAN

LETTER DATED 13 APRIL 1993 FROM THE PERMANENT REPRESENTATIVE OF AZERBAIJAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit the text of a letter dated 11 April 1993 addressed to you by the President of the Azerbaijani Republic, Mr. Abulfaz Elchibey, regarding the statement made by the President of the Security Council on 6 April 1993 (S/25539).

I should be grateful if you would have the text of this letter circulated as a document of the Security Council.

(Signed) Hassan A. HASSANOV
Ambassador
Permanent Representative

Annex

Letter dated 11 April 1993 from the President of the Azerbaijani Republic addressed to the Secretary-General

In Azerbaijan, we welcome the fact that the Security Council has complied with our request that it convene an urgent meeting to consider aggression by the Republic of Armenia in the Lachin, Kelbajar and other districts of Azerbaijan.

We have carefully studied the statement made by the President of the Security Council on 6 April 1993 (S/25539) and we are pleased that, for the first time in a Security Council document, the Council has expressed its serious concern at the latest events in the region and has demanded the immediate withdrawal of Armenian armed forces from the occupied territories.

It is extremely important that the Security Council continue to take this resolute approach in its future decisions, especially since, as the latest developments have shown, Armenia's appetite for aggression is increasing. This is confirmed by the broadening of the direction of attacks by the Armenian armed forces currently concentrated in the occupied districts of Azerbaijan. The Fizuli, Djebrail, Kubadly and Zangelan districts, with an overall population of more than 200,000, are under threat of capture.

We are convinced that the facts that the Secretary-General includes in the report that he is currently preparing will provide the Security Council with grounds for adopting a resolution qualifying Armenia's actions as aggression against sovereign Azerbaijan, demanding the immediate withdrawal of Armenian armed forces from all captured Azerbaijani territories and warning that, if Armenia failed to comply with the resolution, the Council might impose sanctions under the Charter of the United Nations.

We hope that Armenia's violation of the territorial integrity of Azerbaijan will be perceived as a challenge to the new world order.

Azerbaijani authorities are providing, and will continue to provide, comprehensive assistance to the head of the United Nations Interim Office at Baku, Mr. Mahmoud Al-Said, and to local representatives of the Conference on Security and Cooperation in Europe, in their efforts to collect facts confirming Armenia's aggression and transmit them to the Secretary-General.

(Signed) Abulfaz ELCHIBEY

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/25600
14 April 1993

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL PURSUANT TO THE STATEMENT OF THE PRESIDENT OF THE SECURITY COUNCIL IN CONNECTION WITH THE SITUATION RELATING TO NAGORNY-KARABAKH

INTRODUCTION

1. In the statement made by the President of the Security Council on 6 April 1993, on the situation relating to Nagorny-Karabakh, the Council requested me, in consultation with the Conference on Security and Cooperation in Europe (CSCE), to ascertain facts, as appropriate, and to submit urgently a report to the Council containing an assessment of the situation on the ground (see S/25539). The present report is submitted in accordance with that request by the Security Council. The report has been prepared, after consultation with representatives of the Chairman-in-Office of the CSCE, on the basis of information provided to me by the United Nations Representatives in Azerbaijan and Armenia.

2. In a personal letter dated 31 March 1993 the President of the Republic of Azerbaijan, H.E. Mr. Abulfaz Elchibey, drew my attention to the outbreak of fighting in the Kelbadjar district of Azerbaijan. In a letter dated 30 March 1993 the Permanent Representative of Azerbaijan to the United Nations had already informed the President of the Security Council about the grave situation in that district (see S/25491). In those and subsequent communications, the Government of Azerbaijan has taken the position that Kelbadjar was attacked by forces from the Republic of Armenia and from the enclave of Nagorny-Karabakh. The Government of Armenia, on the other hand, maintains that no military forces from the Republic of Armenia were involved in the hostilities in the Kelbadjar district. The Permanent Representative of Armenia to the United Nations, in a letter dated 1 April 1993, informed the President of the Security Council about his Government's view on the reasons for the fighting in the Kelbadjar district (see S/25510).

3. As soon as news had been received of the outbreak of new hostilities in the Nagorny-Karabakh region, the Heads of the United Nations Interim Offices in Azerbaijan and Armenia had been instructed, as a matter of urgency, to ascertain the facts on the ground, as best they could. To this end, the United Nations Representatives undertook, with assistance from their respective host Governments, field missions to the areas of conflict. The United Nations Representative in Azerbaijan went on such missions on 6 April and from 9 to 10 April 1993. On the second occasion, he visited the areas together with a CSCE preparatory mission which arrived in Baku on 7 April 1993 in connection

with the CSCE's discussions on the possible deployment of an Advance Monitoring Group in the region. The acting United Nations Representative in Armenia undertook his missions from 9 to 10 April and on 12 April 1993.

SITUATION ON THE GROUND IN AZERBAIJAN

4. On his first mission on 6 April, the United Nations Representative in Azerbaijan visited the districts of Ganja, north-east of the Kelbadjar district, and Fizuli, south-west of the enclave of Nagorny-Karabakh. Local military commanders in Ganja described the situation as very tense, indicating that the Azeri forces had lost control over the entire Kelbadjar district. They expected further advances by hostile forces. Civilian authorities in Ganja stated that the fighting in Kelbadjar had led to the displacement of 40-50,000 residents. Many of these had escaped via snow-covered mountain passes towards Dashkezan and Ganja. In Ganja, their situation appeared to be extremely serious. Many of them had walked in the snow for two to three days and were suffering from extreme exhaustion and frostbite. The local authorities in the area appeared to be overwhelmed by this humanitarian emergency. Most of the displaced people in the Ganja district were sleeping in open fields. Estimates for the remaining civilians in the Kelbadjar district varied between 3,000 and 15,000 people.

5. In Fizuli the mission met with the Speaker of the Azeri Parliament, Mr. Isa Gambar, who stated that Armenian forces were invading Azeri territory and attempting to occupy the town. The town appeared to be under military attack and incoming and outgoing shell-fire was audible.

6. During his second field mission, from 9 to 10 April, the United Nations Representative again went to Ganja as well as to the districts of Ter-Ter and Kazahk. In Kazahk the mission was informed that Armenian forces had occupied Azeri-populated enclaves within the territory of the Republic of Armenia. The local military commander also reported sporadic shelling and attempts at incursion by Armenian forces. Civilians in this area complained about the frequent theft of livestock by Armenian forces. On the second day, the mission visited Koubatly, Fizuli and Agdam. In Koubatly, which is located 2 km east of the Armenian border and south-west of Nagorny-Karabakh, the mission was told that shelling had occurred from the territory of the Republic of Armenia as well as from the Lachin corridor and Nagorny-Karabakh itself. In Fizuli there was no shelling but local officials claimed that shelling had occurred earlier the same day, killing 6 people. The situation in Fizuli remained tense. In Agdam, east of Nagorny-Karabakh, the mission was told of constant heavy shelling from Nagorny-Karabakh.

SITUATION ON THE GROUND IN ARMENIA

7. On his first field mission, from 9 to 10 April, the acting United Nations Representative in Armenia visited the southern provinces of Ararat and Goris. In several villages near the Azeri border the mission was shown evidence of substantial destruction, resulting from mortar shelling. While visiting the village of Khndzorask a mortar shell exploded only about 20 metres away from the United Nations vehicle, which was clearly marked as such. The mission also had to leave the village of Korndzor when tank fire began, apparently from the

territory of Azerbaijan. On 10 April the mission came to the view that because of the very rugged topography only aerial reconnaissance would permit a meaningful assessment of the border area between Armenia and with the Kelbadjar district of Azerbaijan. The Armenian Government was requested to provide a helicopter for this purpose.

8. After some delay, a helicopter was made available on 12 April and the United Nations Representative was able to carry out a reconnaissance, from Armenian airspace, of the border between the Republic of Armenia and the Kelbadjar district of Azerbaijan. No sign of hostilities, military movements or presence of the armed forces of the Republic of Armenia was observed.

HUMANITARIAN RELIEF

9. Following the outbreak of fighting in Kelbadjar and the outflow of displaced persons from that area, the UNHCR mission in Baku immediately dispatched a field team to Ganja and Dashkezan to assess the sudden emergency situation. The field mission estimated that relief items (blankets, winterized tents, sleeping bags and basic foodstuffs) for about 50,000 displaced persons were needed. In Baku, the UNHCR mission discussed the provision of emergency relief with senior government officials, including the Prime Minister and Deputy Prime Minister of Azerbaijan. Plans for the airlifting of shelter items and the sending of foodstuffs are currently being implemented by UNHCR.

OBSERVATIONS

10. The intensification of fighting in and around Nagorny-Karabakh, especially the recent attacks against the Kelbajdar and Fizuli districts of Azerbaijan, poses a serious threat to the maintenance of international peace and security in the entire Transcaucasus region. Because of the hostilities, it has not been possible for United Nations personnel to visit the Kelbadjar district itself and establish the precise facts on the ground. It is clear, however, that there has been a major outbreak of fighting in various locations in Azerbaijan, outside the enclave of Nagorny-Karabakh. Reports of the use of heavy weaponry, such as T-72 tanks, Mi-24 helicopter gunships and advanced fixed wing aircraft are particularly disturbing and would seem to indicate the involvement of more than local ethnic forces. However, the observations by the United Nations Representatives in the areas that they were able to visit have not made it possible to confirm this involvement.

11. The fighting in the Kelbadjar district has led to a humanitarian emergency. An estimated 50,000 persons are displaced, adding to the already very serious humanitarian burden of refugees and displaced persons in Azerbaijan. Moreover, many civilians from Kelbadjar are still unaccounted for. Unimpeded access to the area should be granted immediately to international relief organizations to ascertain the humanitarian situation and to provide relief to the civilian population.

12. The conflict over Nagorny-Karabakh, involving both Armenia and Azerbaijan, can only be resolved by peaceful means. I strongly urge all parties to cease fighting and return to the negotiating table within the CSCE's Minsk process.

The recent agreement on the terms of reference for the deployment of an Advance Monitoring Group of the CSCE was an encouraging first step towards a peaceful settlement of the conflict. Speedy progress should now be made to reach further agreements on the remaining documents, thus enabling the deployment of CSCE monitors in the region. I remain prepared, as I have been throughout the past twelve months, to give my full and active support to the CSCE's effort to convene the Minsk Conference as soon as possible and I reaffirm my willingness to lend technical assistance in the deployment of the CSCE monitoring mission.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/25601
15 April 1993

ORIGINAL: ENGLISH

LETTER DATED 14 APRIL 1993 FROM THE PERMANENT REPRESENTATIVE OF CROATIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to reiterate the position of my Government concerning the efficient protection of the international borders of the Republic of Croatia in the part where they form the boundary of the United Nations Protected Areas (UNPAs).

It is the strong conviction of my Government that one of the pillars of the mandate of the United Nations Protection Force (UNPROFOR) - as it stands today - is the effective implementation of Security Council resolution 769 (1992) and the Secretary-General's report (S/24353 and Add.1). The recommendations set forth in the said report (chap. II.C, "Control of international borders", paras. 19-22) and endorsed by resolution 769 (1992) were never implemented, thus creating major problems both to the Government of Croatia and to UNPROFOR, and allowing for flagrant violations of the sanctions imposed against the country provisionally referred to as the "Federal Republic of Yugoslavia (Serbia and Montenegro)" by resolution 757 (1992) and subsequent relevant resolutions.

The Government of Croatia has been alerted of the fact that the Secretariat of the United Nations has for the past six months been aware of the pillage of Croatian oil by the Serb insurgents at the Djeletovci oilfield in UNPA Sector E, resulting in damages that run in the vicinity of $50,000 a day, taking into consideration the estimated production from the 31 flowing wells at a rate of about 350 tons/day (2,500 bbl./day); other pumping and gas-lift wells appeared to be idle. The report confirming those facts, and describing the incapacity of UNPROFOR to prevent the incidents, has been submitted to the Chief of the Field Personnel Section, Field Operations Division, United Nations Office of General Services, under the document symbol FOD/DAM/92/022 - Amendment No. 1, on 20 October 1992 by International Subsea Systems, Inc., Houston, Texas.

The aforesaid document reports the findings of an independent expert that was commissioned in order to investigate allegations that the Serbian insurgents are extracting oil from the Croatian oilfield in the UNPA East, and shipping the stolen oil to the "Federal Republic of Yugoslavia (Serbia and Montenegro)" in violation of resolution 757 (1992); we emphasize that the document shows evidence that the theft is occurring, and that UNPROFOR, due to the "lack of

cooperation by the local Serb authorities in Sector East", is unable to stop the present and prevent the future pillage of Croatian property and violation of sanctions.

It is our belief that this matter has not yet been properly brought to the attention of the Security Council.

At the same time, the situation described is creating numerous problems for the UNPROFOR forces on the ground, which are documented in several communications from the Under-Secretary-General for Peace-keeping Operations sent to the Security Council Committee established pursuant to resolution 724 (1991) concerning Yugoslavia. Namely, in the letter dated 4 February 1993 (S/AC.27/1993/COMM.755), the Under-Secretary-General informs the Committee that "it should be noted that as a result of the lack of cooperation by the local Serb authorities in Sector East, UNPROFOR so far has not been able to undertake the immigration and customs functions mandated by Security Council resolution 769 (1992); ... as a result, UNPROFOR is not in a position to prevent these apparent violations of the sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro)" (emphasis added).

The grave concerns of UNPROFOR in regard to this matter transpire from innumerable observed and registered "tanker trucks crossings" over the unprotected and unguarded international border between the Republic of Croatia and the "Federal Republic of Yugoslavia (Serbia and Montenegro)" communicated to the Committee in documents S/AC.27/1993/COMM.755 and Adds.1-8. No doubt that considerable amount of oil that is produced daily at the Djeletovci oilfield contributes to the violation of sanctions. Namely, the aforesaid report determined that the daily production of oil would amount to 20 truckloads a day. One has to take into consideration, however, that there is also an underground pipeline connecting the oilfield and the Opatovci tank farm.

We believe that the extraction of oil and its shipment across the international borders of Croatia is a blatant theft of its property and has to cease. We propose that the production of oil be stopped and further prevented; that the facilities on the Djeletovci oilfield be permanently guarded by UNPROFOR personnel; and that the installations remain idle until the conditions permit the return of the legitimate owners - the Croatian oil company "INA".

In accordance with the commitments that the Security Council has reaffirmed in resolution 815 (1993), in particular emphasizing that the UNPAs are "integral parts of the territory of the Republic of Croatia"; having in mind the continuing pillage of Croatian property; concerned with the violations of sanctions imposed by resolution 757 (1992) that are committed from the territory of the Republic of Croatia; it is a firm belief of my Government that the solution lies in full implementation of resolution 769 (1992). We urge the members of the Security Council to consider the position of the Government of Croatia when considering UNPROFOR's mandate in accordance with the provisions set forth in paragraph 3 of resolution 815 (1993).

I would ask for your kind assistance in distributing this letter as a document of the Security Council.

(Signed) Ambassdor Dr. Mario NOBILO
Permanent Representative

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/25602
15 April 1993

ORIGINAL: ENGLISH

LETTER DATED 14 APRIL 1993 FROM THE PERMANENT REPRESENTATIVE OF AZERBAIJAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith some information concerning the Armenian-Azerbaijani conflict and the latest offensive conducted by the Armenian armed forces in the Kelbajar and Fizuli regions of Azerbaijan. The reports by independent correspondents and news agencies indicate the direct involvement of Armenia in the conflict, consistently denied by the Armenian officials in order to conceal the real causes of the war - the territorial claims of Armenia in Azerbaijan.

The Inter-Press Service (by John Roberts, 8 April 1993, Thursday) reported: "Armenia is making territorial gains on the battlefield in its war against Azerbaijan." "Armenia has been fighting for five years to take Nagorno-Karabakh, a predominantly ethnic Armenian region in Azerbaijan" (The Plain Dealer (Cleveland), 10 April 1993). "The Armenian troops pounded towns and villages in southwestern Azerbaijan along the border with Iran, and the western town of Kelbajar" (Chicago Tribune, 10 April 1993).

> "The conflict between the two former Soviet republics also threatens Nakhichevan, a non-contiguous Azerbaijani enclave surrounded by Armenia, Iran and Turkey. In the latest phase of its military campaign, Armenian forces have launched a new offensive in southwestern Azerbaijan centred around the town of Fizuli. Capturing Fizuli would be a major step in cutting off Nakhichevan from the rest of Azerbaijan and would strengthen Armenia's control over the land it opened in May 1992 with Nagorno-Karabakh" (The Associated Press, 11 April 1993).

The Armenian offensive caused a new flow of refugees and a high rate of casualties among the civilian population of the occupied territories of Azerbaijan.

> "The steady stream of people - on foot and by car and truckload - follows a major Armenian offensive, culminating with the capture of a huge chunk of Azerbaijan territory in the ongoing war ... Over the weekend, children stumbled blindly behind their parents. For many it had been a hike of two or three days ... One image in particular stuck in the mind - a woman clutching a tiny black lamb. On her face were no tears or panic, just sheer exhaustion. 'I've left my children behind', she said, 'I had no

time to find them ...' Some of those who fled spoke of Armenian Grad missiles and heavy artillery landing in Kelbajar or along the escape route. Others from villages around the town claimed Armenian soldiers had killed women and children. These are familiar accusations in the post-Soviet Caucasus, reminiscent of a massacre of hundreds of Azeri civilians by Armenian fighters at the village of Khojali in Nagorno-Karabakh a year ago. Between 40,000 and 60,000 people lived in the Kelbajar region of Azerbaijan. Most of those have escaped but up to 5,000 are thought to be trapped behind Armenian lines. For any men left behind the prospects are bleak. This is a war in which prisoners are rarely taken." (Inter-Press Service, 7 April 1993)

"A spokesman for the United Nations High Commissioner for Refugees said that refugees from the Kelbajar region were arriving in northern Azerbaijan at a rate of some 7,700 every day", Swiss Radio International, Berne, reported (in English, 1700 GMT, 6 April 1993). "Many of them were women and children and many were suffering from frostbite. The UNHCR said that almost 30,000 people were still trapped in Armenian-held villages in the Kelbajar region".

"But those who had made it through the treacherous snow-covered mountain passes described horrific conditions, saying children were dying by the dozens, which had [led] many mothers to commit suicide in despair, according to UNHCR spokeswoman Marie Okabe." (Agence France-Presse, 8 April 1993)

Another offensive by Armenian armed forces in the direction of Fizuli also caused a new flow of refugees. "Armenian forces, backed by artillery, were advancing yesterday on Fizuli, which is only 18 miles of the Iranian border. As the fighting intensifies in southern Azerbaijan, tens of thousands of refugees are fleeing Armenian advances in the west." (The Daily Telegraph, 12 April 1993)

"Fierce battles in western and south-western Azerbaijan are continuing and 20 per cent of this republic's territory has been occupied", the Voice of the Islamic Republic of Iran reported (Tehran, 0330 GMT, 8 April 1993). "Since Armenia's offensive on Kelbajar early last week, the war has escalated. After occupying Kelbajar, Armenian soldiers concentrated their attacks on Fizuli, Kubatli and Gyanja. By opening new fronts on Azerbaijani territory, Armenia is intensifying the war. This could prove to be extremely serious. The recent attacks by Armenia are overt aggression and violate Azerbaijan's national sovereignty."

In conclusion, I should like to draw your attention to the fact that many independent correspondents agree that Armenia is unlikely to comply with the 6 April statement by the President of the United Nations Security Council (S/25539). A Chicago Tribune (10 April 1993) article reported that "Armenia ignored a United Nations Security Council statement denouncing its military push in the region." Agence France-Presse, quoting ITAR-TASS, also reported on 8 April 1993: "Armenian Acting Defence Minister Vazgen Manukian meanwhile said Karabagh forces would not pull out of occupied territories."

I hope these facts will be helpful to the Security Council in order to understand the essence of the Armenian-Azerbaijani conflict.

I would highly appreciate it if this letter could be circulated as a document of the Security Council.

(Signed) Hassan A. HASSANOV
Ambassador
Permanent Representative

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/25603
15 April 1993

ORIGINAL: ENGLISH

LETTER DATED 15 APRIL 1993 FROM THE PERMANENT REPRESENTATIVE OF AZERBAIJAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit herewith the text of the letter by the President of the Azerbaijani Republic, H.E. Dr. Abulfaz Elchibey, addressed to the Secretary-General of the United Nations, His Excellency Dr. Boutros Boutros-Ghali, as received by fax.

In the letter the President requests that a fact-finding mission be urgently despatched in the next two or three days, in order to obtain detailed information concerning the ongoing aggression conducted by the Republic of Armenia against the Azerbaijani Republic.

I would greatly appreciate it if the letter could be circulated as a document of the Security Council.

(Signed) Hassan A. HASSANOV
Ambassador
Permanent Representative

Annex

[Original: Russian]

Letter dated 15 April 1993 from the President of the Azerbaijani Republic addressed to the Secretary-General

I thank you most sincerely for your prompt response to my letter and for conveying the facts contained therein to the President and members of the Security Council, as well as for instructing your representative in Azerbaijan, Mr. Mahmoud al-Said, to ascertain the situation in the field.

Fact-finding is, of course, extremely difficult in areas of military operations. Your representative, whom we tried to help in every way we could, was naturally unable to visit the occupied city of Kelbajar itself, as such a visit was impossible and would have entailed extreme risk to his life.

At the same time, does not the fact that 50,000 refugees - including hundreds of civilian inhabitants suffering from frostbite injuries incurred during their flight through the deep snow of the mountain passes - have been registered by the International Committee of the Red Cross (ICRC) amply demonstrate the wide-scale aggression waged by Armenia?

How could the Armenian self-defence forces of Nagorny Karabakh possibly be capable of occupying such an extensive area in a mere two or three days and of expelling such a large number of people from their homes? The aggressor brazenly denies all involvement, hoping once again to delude the international community, as it has succeeded in doing thus far.

I have the deepest respect for the United Nations and all its subsidiary organs and I would not wish the Organization, to which the entire Azerbaijani people looks with hope, to be held hostage to the political intrigues of the various forces endeavouring to support the aggressor and to pass black off as white.

According to the information we have received, the Armenian military leadership will try to hide any trace of its crimes and replace its own troops in the Kelbajar district with those from formations in Nagorny Karabakh. If your efforts to dispatch a United Nations mission to Kelbajar within two or three days do not succeed, this charade may go ahead.

By appealing to you, Sir, I simultaneously appeal to all the members of the Security Council. I appeal to their consciences, to their sense of justice and, finally, to the Lord God in their hearts, who is ever present and all-seeing.

(Signed) Abulfaz ELCHIBEY

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/25604
15 April 1993

ORIGINAL: ENGLISH

LETTER DATED 15 APRIL 1993 FROM THE REPRESENTATIVES OF CAPE VERDE, DJIBOUTI, MOROCCO, PAKISTAN AND VENEZUELA ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

We the members of the Non-Aligned caucus in the Security Council request you, in accordance with Article 2 of the Provisional Rules of Procedures of the Security Council, to convene an urgent meeting of the Security Council to discuss the deteriorating situation in the Republic of Bosnia and Herzegovina. In this connection, two draft resolutions 1/ contained in documents S/25558 dated 8 April 1993 and S/25558* dated 12 April 1993 are already before the Council.

We request Your Excellency to circulate this letter as a document of the Security Council.

(Signed) Jose Luis JESUS
Ambassador/Permanent Representative
of Cape Verde to the United Nations

(Signed) Roble OLHAYE
Ambassador/Permanent Representative
of Djibouti to the United Nations

(Signed) Ahmed SNOUSSI
Ambassador/Permanent Representative
of Morocco to the United Nations

(Signed) Sher Afgan KHAN
Deputy Permanent Representative of
Pakistan to the United Nations

(Signed) Diego ARRIA
Ambassador/Permanent Representative
of Venezuela to the United Nations

Notes

1/ Issued provisionally.

93-21886 (E) 150493

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UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/25605
15 April 1993
ENGLISH
ORIGINAL: ENGLISH/SPANISH

LETTER DATED 15 APRIL 1993 FROM THE PERMANENT REPRESENTATIVE OF VENEZUELA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

As Coordinator of the countries of the Movement of Non-Aligned Countries that are members of the Security Council (Cape Verde, Djibouti, Pakistan and Venezuela), I have the honour to transmit to you a copy of a statement dated 15 April 1993 concerning the situation in the Republic of Bosnia and Herzegovina.

I should be grateful if you would have this statement circulated as a document of the Security Council.

(Signed) Diego ARRIA
Permanent Representative of Venezuela

Annex

Statement by Cape Verde, Djibouti, Morocco, Pakistan and Venezuela

The members of the Movement of the Non-Aligned in the Security Council, co-sponsors of the draft resolution before the Council on the situation in Bosnia-Herzegovina (S/25558), remain convinced that there is no alternative for a lasting and peaceful settlement of the conflict in the Republic of Bosnia-Herzegovina to the Vance-Owen Peace Plan, which has been accepted by two of the three Bosnian parties. Thus, they have individually and collectively given their full support to the efforts of the Co-Chairmen of the Conference on the former Yugoslavia for a diplomatic and negotiated end to the conflict. We believe that the Plan must receive full and unequivocal support by the Council.

We are convinced that a stage has been reached wherein all means allowed by the United Nations Charter must be brought to bear by the Security Council on the Bosnian-Serb party, which has so far refused to accept in full the peace plan. Incommensurable harm, both in human and material terms, has already been done. Such a situation cannot be tolerated further.

In this context, we consider as extremely serious the postponement of the adoption of the aforementioned draft resolution and view it as a dangerous precedent. Although it has been argued that a postponement of action by the Council on the draft resolution would allow for further diplomatic efforts, we consider that the Bosnian-Serb party has given ample proof that it is not willing to heed to any goodwill efforts for peace, as the renewed shelling of Sarajevo and Srebrenica clearly shows. At the same time, it would be highly undesirable if consideration by the Security Council of an issue of vital importance for international peace and security, such as the situation in Bosnia-Herzegovina, was not allowed to be fully considered purely on its own merits.

We share the assessment of Messrs. Vance and Owen on the need for immediate implementation of the proposed economic sanctions on the Federal Republic of Yugoslavia (Serbia-Montenegro) as a measure necessary for the immediate acceptance of the peace plan by the Bosnian-Serb party and to guarantee thereafter its full implementation in good faith.

We stand behind the principles contained in the draft resolution which we have co-sponsored. In this context, we have proposed the immediate consideration by the Security Council of the situation in Bosnia-Herzegovina. We are convinced of the need for the overall membership of the United Nations to express their views on this issue.

We reiterate that the scope of measures the international community must address to help bring about a renewal of the Serbian aggression in Bosnia-Herzegovina should include, in addition to those already identified in the draft resolution, the immediate immobilization of heavy weapons and placing them under effective international control; lifting of the arms embargo presently hampering the right to self-defence of the Government of Bosnia-Herzegovina; effective

interdiction of all arms supplies to the Bosnian-Serb party; and effective enforcement of comprehensive sanctions on the Federal Republic of Yugoslavia (Serbia Montenegro).

We draw attention of Council members to the provisional order issued on 8 April 1993 by the International Court of Justice, which, inter alia, calls upon Yugoslavia (Serbia-Montenegro) to "immediately ... take all measures within its power to prevent commission of the crime of genocide" in Bosnia-Herzegovina.

The Non-Aligned members of the Security Council wish to underline the individual and collective responsibility of all members of the Security Council in upholding the principles and purposes of the Charter of the United Nations at this hour of trial for a Member State of the Organization.

UNITED
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General Assembly Security Council

Distr.
GENERAL

A/48/153
S/25606
15 April 1993
ENGLISH
ORIGINAL: ENGLISH/FRENCH

GENERAL ASSEMBLY
Forty-eighth session
Item 38 of the preliminary list*
POLICIES OF APARTHEID OF THE
GOVERNMENT OF SOUTH AFRICA

SECURITY COUNCIL
Forty-eighth year

Letter dated 14 April 1993 from the Permanent Representative of Denmark to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text in English and French of a statement on the assassination of Chris Hani in South Africa issued by the European Community and its member States on 11 April 1993 (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as an official document of the General Assembly, under item 38 of the preliminary list, and of the Security Council.

(Signed) Bent HAAKONSEN
Ambassador
Permanent Representative
of Denmark to the
United Nations

* A/48/50.

ANNEX

Statement on the assassination of Chris Hani in South Africa issued by the European Community on 11 April 1993

The European Community and its member States strongly condemn the assassination of Chris Hani yesterday. They extend their deep-felt condolences to Mr. Hani's wife and family.

It is indeed tragic that Chris Hani, who has been appealing for an end to violence and a return to peace, should himself die from the bullets of an assassin. A full and thorough investigation of the murder is called for. The European Community and its member States stand ready to help in any way it can, for example, through its observers already in South Africa or its experts on the Goldstone Commission.

While fully understanding the grief of many South Africans over the loss of Chris Hani, the European Community and its member States appeal for calm and restraint in this difficult situation. Those elements wanting to prevent a speedy and peaceful transition to a democratic, non-racial and united South Africa must not be allowed to succeed. The European Community and its member States therefore renew their call to all parties engaged in the multi-party negotiations to redouble their efforts to reach a negotiated settlement, to do their utmost to bring the violence to an end and to renounce violence in all its forms.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/25607
15 April 1993

ORIGINAL: ENGLISH

LETTER DATED 15 APRIL 1993 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF TURKEY TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to address you this letter on behalf of the Contact Group on Bosnia and Herzegovina of the Organization of the Islamic Conference (OIC), consisting of Egypt, Islamic Republic of Iran, Malaysia, Pakistan, Saudi Arabia, Senegal and Turkey.

More than three weeks have passed since His Excellency President Alija Izetbegovic signed on behalf of the Bosnian Government the agreement on interim arrangements and the provincial map, leaving the Bosnian Serbs as the only side remaining to accept the Vance-Owen peace plan.

During this period, the Bosnian Serbs revealed once again that they have no intention to sign the peace plan. On the contrary, the continued aggression, the intense shelling of Bosnian towns, the commission of outrageous massacres and the blatant violations of international humanitarian law are proof of their intentions to leave peace aside and to carry on with the abhorrent practice of "ethnic cleansing" in defiance of multitudes of calls from the Security Council and the international community.

Delaying the adoption of the draft resolution of the Security Council designed to strengthen sanctions on the Federal Republic of Yugoslavia (Serbia and Montenegro), is inconsistent with the expectations of the international community to pressure the Serbs to sign the peace plan in all its parts. In this regard, the Contact Group is requesting an urgent formal meeting of the Security Council, with an open debate, so that all non-members may voice their concern over this issue.

To further pursue this matter, the Contact Group of the OIC also intends to request the convening of an emergency session of the General Assembly.

(Signed) Tahsin BURCUOĞLU
Deputy Permanent Representative
Chargé d'affaires a.i.

93-21928 (E) 150493

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UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/25608
16 April 1993

ORIGINAL: ENGLISH

LETTER DATED 16 APRIL 1993 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to Security Council resolution 816 (1993).

Further to my letter dated 9 April (S/25567), I have been informed by the Deputy Secretary General of the North Atlantic Treaty Organization (NATO) that the list of countries offering to make aircraft available for the operation established to ensure compliance with the ban on all flights in the airspace of Bosnia and Herzegovina should read as follows: France, the Netherlands, Turkey, the United Kingdom and the United States of America. Aircraft from France, the Netherlands and the United States have so far been deployed.

Further revised guidelines for the authorization of non-UNPROFOR and non-UNHCR flights in the airspace of Bosnia and Herzegovina, which were issued by UNPROFOR on 11 April 1993, are attached.

(Signed) Boutros BOUTROS-GHALI

Annex

Revised guidelines for the approval of non-UNPROFOR and non-UNHCR flights in the airspace of Bosnia and Herzegovina

1. These guidelines supersede those dated 22 December 1992 and are published under authority of United Nations Security Council resolution (SCR) 816. These guidelines do not apply to flights flown in accordance with paragraph 4 of SCR 816. SCR 816 extends the ban established on military flights by SCR 781 (1992) to cover flights by all fixed-wing and rotary-wing aircraft in the airspace of Bosnia and Herzegovina (BiH), this ban not to apply to flights authorized by UNPROFOR.

2. The Notice to Airmen (NOTAM) published on 8 December 1992 regarding requests for flights into BiH remains in effect for all aircraft operators. Paragraph 3 of the subject NOTAM shall be read as applicable to all flights, military or otherwise. The NOTAM shall be amended in due course. All flights conducted within these Guidelines must receive UNPROFOR approval. Unannounced or unauthorized flights into or within the airspace of BiH in contravention of these Guidelines may be assessed as violations of SCR 816 and are subject to interception.

3. Flights are defined as any flight, by fixed-wing or rotary-wing aircraft, conducted for any purpose.

4. UNPROFOR may authorize, in the airspace of BiH, humanitarian flights and other flights consistent with relevant resolutions of the Security Council. Two UNPROFOR liaison offices, at Zagreb and Belgrade have been designated, in the NATAM as the initial points of contact for requests for flight approval. The format and content of a request is defined in the NOTAM. The liaison offices are requested to send a copy of the flight request to the Deputy Chief of Mission (DCM) and the Monitoring Command Coordination Centre (MCCC). The flight request will be processed by the DCM. If UNPROFOR decides to sponsor the activity, the approved request will be sent to Air Operations for scheduling and coordination and to the UNMO at the nearest suitable location. UNPROFOR DCM may determine whether UNHCR or another agency is appropriate for sponsorship. In this case the DCM will forward this request and act as the UNPROFOR coordinating authority. UNPROFOR will consider requests for flights within or into BiH involving:

   a. The transportation of personnel from international organizations.

   b. Official delegations.

   c. Evacuation of persons of special humanitarian concern.

   d. Medical evacuation (MEDEVAC) and casualty evacuation (CASEVAC) by civilian and military aircraft with at least six hours prior notification and only at locations where aircraft inspection can be conducted by UNPROFOR representatives. This is limited to cases where no treatment is available locally. Moreover, such flights should be

conducted using military aircraft only in the event that civilian aircraft cannot be made available to deal with the emergency at hand.

e. The evacuation of third country nationals, when this has been approved through UNPROFOR and the relevant international agencies concerned.

5. The method for submitting requests for flights and details of the procedures to be followed are contained in the NOTAM referred to in paragraph 2.

6. No aircraft shall fly into or within BiH until authorization from UNPROFOR is received.

7. MEDEVAC and CASEVAC flights are defined as follows:

a. MEDEVAC: Flights transporting injured or wounded persons between established medical facilities at locations where UNPROFOR representatives are available to conduct inspection.

b. CASEVAC: Flights transporting injured or wounded persons from the scene at which the injuries occurred to a recognized medical facility. These missions shall be flown to locations where UNPROFOR representatives are available to conduct inspections. It is understood that observers may not be available to inspect the aircraft at the casualty extraction site.

8. In the case of a request for MEDEVAC or CASEVAC flight, the following additional procedures, to those defined in the NOTAM, must be adhered to:

a. MEDEVAC: Requests for a MEDEVAC flight must be submitted to UNPROFOR in accordance with established procedures a minimum of six (6) hours prior to the planned take-off time. At locations where communications links with UNPROFOR are poor, the time from request to approval and deliverance of authorization may be longer than six hours. No flight shall take off without UNPROFOR authorization. The precise route of flight must be provided to UNPROFOR. The aircraft (fixed-wing or helicopter), medical personnel and casualties must be made available for inspection at the points of departure and arrival. On-route landing at locations other than departure and arrival points is not authorized.

b. CASEVAC: Requests for a CASEVAC flight must be submitted to UNPROFOR in accordance with established procedures a minimum of six (6) hours prior to the planned take-off time. At locations where communications links with UNPROFOR are poor, the time from request to approval and deliverance of authorization may be longer than six hours. No flight shall take off without UNPROFOR authorization. The precise route of the flight must be given to UNPROFOR, including the pick-up location of the casualties. The notification must include information about the hospital or medical facility to which the CASEVAC is destined. When the aircraft must launch from a location other than the casualty extraction site, the aircraft and medical personnel must be made available for inspection prior to the departure and after the return

of the aircraft. The aircraft must launch from and return to a location where UNPROFOR representatives are available to conduct inspection. On arrival at the medical facility the aircraft, medical personnel and casualty(ies) must be made available for inspection on request from UNPROFOR.

c. MEDEVAC and CASEVAC flights shall carry only the crew, medical personnel and casualties.

UNITED
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Security Council

Distr.
GENERAL

S/25609
16 April 1993

ORIGINAL: ENGLISH

LETTER DATED 16 APRIL 1993 FROM THE PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

The horrifying situation in Srebrenica is so well documented by the media around the world, and confirmed by the United Nations personnel on the ground, that I will refrain from repeating the details for the sake of sparing the readers of this letter the embarrassment.

The responsibility for this ongoing massacre is with many parties, and includes the parties which have denied the innocent civilian victims in Bosnia and Herzegovina of their right of self-defence, while they have not taken even remotely adequate steps to protect those civilians.

Excellency, under instructions of the Presidency of the Republic of Bosnia and Herzegovina, I demand, with all humility and sadness, and with all moral and legal right, that the Security Council take all necessary measures, as a matter of utmost urgency, to guarantee the safety of the remaining inhabitants of Srebrenica.

May I ask for your kind assistance in circulating this letter as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador and Permanent Representative

93-22120 (E) 160493

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UNITED
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Security Council

Distr.
GENERAL

S/25610
16 April 1993

ORIGINAL: ENGLISH

LETTER DATED 16 APRIL 1993 FROM THE PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to present to you the attached letter, dated 15 April 1993 from the President and Chief Operating Officer for "AmeriCares" to Your Excellency.

May I ask for your kind assistance in circulating the attached letter as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador and Permanent Representative

Annex

AmeriCares

161 Cherry Street New Canaan CT 06840
203-966-5195
1-800-486-HELP
Fax: 203-972-0116
Fax: 203-966-7945
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Sol M. Linowitz
Senior Partner, Counsel Retainers

Peter S. Lynch
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William E. Simon
Former Secretary of the Treasury

Medical Advisory Board
Burton J. Lee III, M.D.
Physician to the President
The White House (1989-1993)

William Pyka, M.D.
Alfred Jurzykowski Foundation, Inc.

Stuart H. Q. Quan, M.D.
Memorial Sloan Kettering Cancer Center

David M. Reed, M.D.
Assistant Clinical Professor of Surgery
New York Medical College
Stamford, Connecticut

April 15, 1993

H.E.Mr. Jamsheed K. A. Marker
President of the Security Council
United Nations
New York, New York

Excellency:

In attention to the request from the government of the Republic of Bosnia and Herzegovina, AmeriCares is prepared to fly relief missons of humanitarian supplies consisting of medicines from Venice to the city of Tuzla.

AmeriCares has prepositioned 87,900 pounds of medicines and hospital supplies in Venice, Italy and has obtained the overflight authorizations from the Republic of Croatia and the Republic of Bosnia and Herzegovina. It is awaiting the authorization of UNPROFOR.

AmeriCares recognizes the risks posed by this mission and fully and voluntarily assumes this risk and publicly acknowledges that no entity, including the United Nations, can guarantee the safety of this mission.

AmeriCares underscores the purely humanitarian nature of these flights and publicly states that it is fully prepared to comply with a full inspection of the cargo by UNHCR and all other concerned parties in either Split or Zagreb.

Sincerely,

Stephen M. Johnson
President and Chief
Operating Officer

AmeriCares is a private non-profit humanitarian organization. Gifts are tax deductible.

UNITED NATIONS

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Security Council

Distr.
GENERAL

S/25611
17 April 1993
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 14 APRIL 1993 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that at 0230 hours on 16 March 1993 an armed force composed of numbers of infiltrators and insinuated into Iraqi territory by the Iranian side carried out an armed assault on Iraqi positions from three directions with medium machine-guns, 60-millimetre mortars and light rocket launchers. The strength of the force of Iranian infiltrators and saboteurs was estimated at between 50 and 60 men. After Iraqi units had repulsed the Iranian attack, the area was searched and the bodies of eight of the saboteurs were found, one of them with Iranian identity papers in the Persian language issued by the Iranian IX Army Corps. This fresh act of aggression once again demonstrates the persistence of the Iranian regime in implementing its hostile plan aimed at constant interference in the internal affairs of Iraq. This is to be regarded as renewed aggression against Iraq and a flagrant violation of the terms of the cease-fire under Security Council resolution 598 (1987).

The Government of the Republic of Iraq condemns this act of aggression, holds Iran fully responsible for its consequences and calls upon the Secretary-General to assume his responsibilities in order to prevent the Iranian side from any future repetition of such acts as are incompatible with the norms of international law.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative